

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

AMERICAN COUNCIL OF THE BLIND OF
NEW YORK, INC., MICHAEL GOLFO, AND
CHRISTINA CURRY, on behalf of themselves
and all others similarly situated,

Plaintiffs,
-against-

THE CITY OF NEW YORK, NEW YORK
CITY DEPARTMENT OF
TRANSPORTATION, BILL DE BLASIO, in
his official capacity as Mayor of the City of
New York, and POLLY TROTTERBERG, in
her official capacity as Commissioner of the
New York City Department of Transportation,

Defendants.

No. 18-CV-5792 (PAE)

**NOTICE OF MOTION FOR PARTIAL
SUMMARY JUDGMENT**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT Plaintiffs will and hereby do move this Court for an order granting partial summary judgment pursuant to Fed. R. Civ. P. 56, finding that Defendants discriminate against individuals with visual disabilities by systemically failing to make New York City street crossings accessible in non-visual formats, in violation of Title II of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and the New York City Human Rights Law.

As set forth more fully herein, Defendants deny blind and low vision pedestrians who make up the Class meaningful access to New York City's intersections and street crossings by providing APS at less than 4% of intersections, and discriminate against them by making alterations without adding APS. Additionally, Defendants violate New York City Human Rights Law's prohibitions on discrimination.

This motion is based upon this Notice; the accompanying Memorandum of Law; the Joint Statement of Undisputed Facts, ECF No. 91; the declarations of Plaintiffs Michael Golfo, Christina Curry, and Lori Scharff of American Council of the Blind of New York, Inc.; the declaration of Torie Atkinson of Disability Rights Advocates; all supporting exhibits; all pleadings and papers on file in this action; and any argument or evidence that may be presented at the hearing in this matter, if a hearing is deemed necessary.

Dated: October 21, 2019
New York, New York

DISABILITY RIGHTS ADVOCATES



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